

AMENDED IN ASSEMBLY JULY 15, 2004

AMENDED IN SENATE APRIL 28, 2004

AMENDED IN SENATE APRIL 14, 2004

**SENATE BILL**

**No. 1865**

---

**Introduced by Senator Aanestad**

February 20, 2004

---

An act to amend Sections 1631 and 1632 of, to amend, renumber, and add Section 1632.5 of, and to repeal Sections 1633 and 1633.5 of, the Business and Professions Code, relating to dentistry, *and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1865, as amended, Aanestad. Dentists: licensing examinations.

The Dental Practice Act provides for the licensing and regulation of dentists and associated professions by the Dental Board of California. Existing law requires an applicant for a license to practice dentistry to pass a written examination on subjects prescribed by the board, and to also pass a clinical examination.

This bill would require an applicant for a license to practice dentistry to complete various examinations, including a nationally administered written examination, an examination in California law and ethics developed by the board, and a clinical and written examination administered either by the board or the Western Regional Examining Board. The bill would require the Department of Consumer Affairs to review the examination offered by the Western Regional Examining Board, *and would appropriate \$150,000 from the State Dentistry Fund to the department for this purpose pursuant to a specified schedule.* The

bill would require a report by the Dental Board of California on examination passage rates. The bill would make other related changes.

Vote: ~~majority~~ <sup>2</sup>/<sub>3</sub>. Appropriation: ~~no~~ yes. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 1631 of the Business and Professions  
2 Code is amended to read:

3 1631. The subjects in which the applicant shall be examined  
4 shall be those subjects as the board may from time to time  
5 prescribe. However, the subjects of examination shall be selected  
6 in accordance with the trend of dental education in California as  
7 that trend is determined, from time to time by the curricula of the  
8 dental colleges in California approved by the Dental Board of  
9 California, and no examination shall be given on any subject which  
10 is not then, at the time of the determination, being currently taught  
11 in those approved dental colleges. In the event of any changes in  
12 the list of examination subjects, all approved dental schools in the  
13 United States shall be notified, by the executive officer of the  
14 board, at least two years in advance of the effective date of any  
15 change or changes in subjects. Each applicant, at the time of filing  
16 of application to take any examination hereunder, shall be given  
17 a list of the subjects of the examination for which he or she is  
18 making application.

19 SEC. 2. Section 1632 of the Business and Professions Code  
20 is amended to read:

21 1632. (a) The board shall require each applicant to  
22 successfully complete the written examinations of the National  
23 Board of Dental Examinations of the Joint Commission on  
24 National Dental Examinations.

25 (b) The board shall require each applicant to successfully  
26 complete an examination in California law and ethics developed  
27 and administered by the board.

28 (c) Except as otherwise provided in Section 1632.5, the board  
29 shall require each applicant to have taken and received a passing  
30 score on one of the following:

31 (1) A clinical and written examination developed and  
32 administered by the board.



(2) A clinical and written examination administered by the Western Regional Examining Board, which board shall determine the passing score for that examination.

SEC. 3. Section 1632.5 of the Business and Professions Code is amended and renumbered to read:

1633. (a) When an applicant for a license has received a grading of 85 percent or above in any given subject, he or she shall be exempt from reexamination on that subject in subsequent examinations before the board within two years after the examination on which the applicant received the exemption.

(b) Notwithstanding Section 135, an applicant who fails to pass the examination required by Section 1632 after three attempts shall not be eligible for further reexamination until the applicant has successfully completed a minimum of 50 hours of education for each subject which the applicant failed in the applicant's last unsuccessful examination. The coursework shall be taken at a dental school approved by either the Commission on Dental Accreditation or a comparable organization approved by the board, and shall be completed within a period of one year from the date of notification of the applicant's third failure.

(c) The coursework described in subdivision (b) shall be required once for every three unsuccessful examination attempts. When the applicant applies for reexamination, he or she shall furnish proof satisfactory to the board that he or she has successfully completed the requirements of this section.

SEC. 4. Section 1632.5 is added to the Business and Professions Code, to read:

1632.5. (a) Prior to implementation of paragraph (2) of subdivision (c) of Section 1632, the department's Office of Examination Resources shall review the Western Regional Examining Board examination to assure compliance with the requirements of Section 139 and to certify that the examination process meets those standards. If the department determines that the examination process fails to meet those standards, paragraph (2) of subdivision (c) of Section 1632 shall not be implemented. The review of the Western Regional Examining Board examination shall be conducted during or after the Dental Board of California's occupational analysis scheduled for *the* 2004–05 fiscal year, but not later than ~~June~~ *September* 30, 2005. However, an applicant who successfully completes the Western Regional

1 Examining Board examination on or after January 1, 2005, shall  
2 be deemed to have met the requirements of subdivision (c) of  
3 Section 1632 if the department certifies that the Western Regional  
4 Examining Board examination meets the standards set forth in this  
5 subdivision.

6 (b) The Western Regional Examining Board examination  
7 process shall be regularly reviewed by the department pursuant to  
8 Section 139.

9 (c) The Western Regional Examining Board examination shall  
10 meet the mandates of subdivision (a) of Section 12944 of the  
11 Government Code.

12 (d) As part of its next scheduled review by the Joint Committee  
13 on Boards, Commissions, and Consumer Protection, the Dental  
14 Board of California shall report to that committee and the  
15 department on the pass rates of applicants who sat for the Western  
16 Regional Examining Board examination, compared with the pass  
17 rates of applicants who sat for the state clinical and written  
18 examination administered by the Dental Board of California. This  
19 report shall be a component of the evaluation of the examination  
20 process that is based on psychometrically sound principles for  
21 establishing minimum qualifications and levels of competency.

22 SEC. 5. Section 1633 of the Business and Professions Code  
23 is repealed.

24 SEC. 6. Section 1633.5 of the Business and Professions Code  
25 is repealed.

26 SEC. 7. *The sum of one hundred fifty thousand dollars*  
27 *(\$150,000) is hereby appropriated from the State Dentistry Fund*  
28 *to the Department of Consumer Affairs for the purpose of Section*  
29 *1632.5 of the Business and Professions Code, in accordance with*  
30 *the following schedule:*

31 (a) *For the 2004–05 fiscal year, the sum of one hundred*  
32 *thousand dollars (\$100,000).*

33 (b) *For the 2005–06 fiscal year, the sum of fifty thousand*  
34 *dollars (\$50,000).*